GIBSON HEARING SET FOR SEPTEMBER 24

Acting as Own Lawyer, He Makes It Emphatic He Doesn't Request Postponement; He Consents.

TAKEN TO JAIL AT GOSHEN

Sees Nothing Menacing in Plight Unless It Is "Mysterious Diagnosis of Dr. Schultze" -Affidavit of Sheriff De Graw.

Middletown, N. Y., Sept. 13.-With him, and engaged in a little legal bou with the judge with all the delicacy of ordinary situations or acts of daily life,

Rovce at 10 o'clock, entering court in was not the least hint of a man start-

ranged with Mr. Rogers that 8 He also got his wife by telephone, en

Gibson's voice that emphasized unob- fairs to a Tribune reporter. trusively the suggestion that the delay | "I do not see a thing in the present

the extent of the postponement.

"Is that the date, Mr. Rogers?" sent me." asked Gibson, turning with a quizzi- Willing to Give Prosecution Time.

The judge looked at Gibson with the faint suggestion of an amused smile

BURTON W. GIESON ARRAIGNED BEFORE JUDGE ROYCE AT MIDDLETOWN. The accused man acted as his own counsel when charged with the murder of Mrs. Rosa Szabo in the Orange County Court.



ous legal phraseology at that place.

Prepares His Side of Case.

Beebe, in New York. He had been a long narrative of his part in the know was not the least hint of a man starting a possibly prolonged and precarious of like are of Fire Chief Higham of the met Gleson. The affidavit says, in story of the "Stand up, Mr. Gibson," said the Middletown, who seemed anxious to part: show all the courtesies of his office to the prisoner.

lug to direct the preliminary preparatoward the judge, as if to soften any would testify as to statements made to slight tinge of antagonism that might him by the dead woman in regard to

necessary to the fullest and everything was well with him. He examination possible. I believe asked that a number of things for his that the date agreed to by him is Sep- personal comfort be sent for him. Later, lying easily on the couch in his There was a nicety of inflection in cell, he talked sanguinely about his af-

was entirely to assist those who have situation that is menacing in any way been placed by law in the position of to me." he said, "unless it is that | urging a charge of murder against mysterious diagnosis of Dr. Schultze's, I have only read in the paper about "The 24th of September" said the that peculiar injury to the throat judge with a tone of surprise at the which he speaks about, but have never length of the delay, it having been an- heard of it before. I wonder if a secnounced that probably two days be and autopsy could be held? I wish Dr. C'Hanlon had been present to repre-

sisted, "or I can't consent to have it go over for more than two days, which is the time specified in the statute."

"I ought not to be put in the position in the position of the hearing he told the judge of his own desire to forward the had decided to go back to the final position of the hearing he told the had decided to go back to the hearing he told the judge of his own desire to forward the had decided to go back to the hearing he told the judge of his own desire to forward the had decided to go back to the hearing he told the hearing he told the hearing he told the specified in the statute." "I ought not to be put in the position of requesting it," said Gibson, bringing into play the suave emphasis by which his manner of speaking was effectively punctuated. "I consent. Now, the statute provides that the defendant shall be entitled to a hearing within two days unless he requests or consents to an adjournment. Now, I don't request it, but I consent to an adjournment."

I dought not to be put in the position judge of his own desire to forward the following independent of a hearing in every way. The hard not have the following in the reding of a hearing in every way. The hard that I could telegraph thim as sond the would as the body was recovered, and he would come up on the first train. We returned to the lake at about 12.5. that norming we recovered the body. I was the body was recovered and say it and recognized it as the woman who liad been around in the yielding of this own desire to following the head decided to go hack to New York and that I could telegraph thim as sond that I could telegraph thim as sond the body was recovered, and he would come up on the first train. We returned to the lake at about 12.5. that mering we recovered the body was recovered and say it and recognized it as the woman who liad been around in the yielding of this manner of speaking was effectively the reading of which he waived in the reading of such the waived in the reading of which he waived in the reading of such the waived in the reading of such the waived in the reading of such the such the such the such the body was recovered and say it as the woman was with the reading of such that the defendant say it as the would come up on the first train. We returned to the lake at about 12.5. that the such that the such the such that the such the s travel as far as New York.

Death Due to Asphyxia.

date that had caused so much courte- | heart and would cause almost instant

official car of Fire Chief Higham of he met Gibson. The affidavit says, in

Gibson Explains Departure.

About 12 o'clock noon on that (the ame day Mr. Chaunces, the prop f the Pernellif Hotel, where Gibson frought Gibsen out to had a conversal, sere grappling, and I had a conversal, with Gibsen at that time. I said. "Y are Mr. Gibsen?" He said. "I am." said, "Why did you leave the lake night, immediately after the drown when you knew the woman's body when recovered." He said he was have recovered." He said he was have recovered."

willing to Give Prosecution Time.

Willing to Give Prosecution Time.

When asked if Dr. O'Hanlon was a friend of his he said no, but that he respected his opinion as a scientist from the time they and I believe the 24th is the date to which Mr. Gibson consented."

"It is Mr. Rogers's request," said Gibson, standing easily erect and speaking with the forawl that makes his voice sound tired at times, "that the hearing be set over for so remote at time, and to that I consent, and have also consented to give two or three days more, if 'necessary, in order to enable him to produce witnesses, owing to your long distances in Orange County. If it is agreeable, you may set it down for the 24th for a full hearing."

"You make that request?" the judge said, as if the matter were just about settled.

"No," said Gibson, without feeling, "You must request it," the judge in sisted, "or I can't consent to have it go over for more than two days, which is the time specified in the sistutue."

"You must request it," the judge in sisted, "or I can't consent to have it go over for more than two days, which is the time specified in the sistutue."

"I ought not to be put in the position of the prosecution that the position of the prosecution would also like to use in the prosecution would also like to use in the prosecution of the hearing has a special to such the profession of th

Told to Take Body to City.

Death Due to Asphyxia.

In his affidavit Dr. Schultze says:

In his affidavit Dr. Sch I went to meet the next train, while yas due from New York about 6:10 p. n

when he said Mrs. Ritter, as he calls armed force that guards the place con- which any Socialist opposed to parliaher, was not the Viennese Mrs. Szabo. Szabo, or Ritter, came from Vienna, but he did deay that she was the daughter of the Mrs. Menschik for whom the Viennese police have produced a death certificate.

NEW WITNESS DISCOVERED

Prosecutor Expects to Offset Gibson's Story. Thomas C. Rogers, District Attorney of

son that Mrs. Szabo, or Mrs. Ritter, was fendants. not a relative of the Menschiks, in Vi- Mrs. Dwelle sued to recover property enna, in whose behalf the Austro-Hun- valued at \$218,000, including the smuggled garian Consulate in this city is trying to gems, of which she said Allen deprived collect Mrs. Szabo's estate of more than her; 162 shares of the Southern Coal Com-Gibson declared on Thursday he would notes made by John R. Collins and in-

prove that Mrs. Szabo was really Mrs. dorsed by Alien, which were for \$45,000; a Ritter and not the woman the Austrian | pearl necklace valued at \$72,000, and a authorities say she was. While District painting by Schreyer, entitled "The Cav- A STRAPPED-SEAMED COLLAR Attorney Rogers may have been set back | alier," and valued at \$10,000. set by word from this city that Dr. Fritz been taken by Allen from a safe deposit Fischerauer, vice-consul, had discovered vault in Chicago where she had placed a new witness who knew Mrs. Szabo them. when she came to this city eighteen years ago, and was acquainted with her practi- MRS. GIBSON AT GOSHEN cally to the day of her death.

The person, whether man or woman, knew the husband, formerly an officer in Returns Home After Supper in the Austrian cavairy and self-styled count. The witness knows of Gibson's acquaintance with both the husband and then with Mrs. Szabo, and is expected to give im- W. Gibson arrived in Goshen at 4 o'clock portant testimony against Gibson. The this afternoon from her home at Rutherperson's identity, however, was not dis-jerson's identity, however, was not dis-closed by either Dr. Fischetauer or the and was admitted to the county jail to

executor of the estate of Mrs. Rosina conducts a boarding house near the jail. Menschik Szabo, deposited money. Kremer & Leavitt, counsel to the consulate, are hopeful that if other banks have any feetly composed. Mrs. Gibson returned or know anything of Gibson's financial

dates of deposit and withdrawal were Tenant of Uptown Flat Asks Health positing \$3,507 49, and on August 12 he Department of Health has been asked to 57,297 59. The bank reports that on Au- spector was on the job yesterday lookgust 7 Gibson signed a check for \$200 on ing for the snake and its owner, it was the estate; August 8, \$300; August 13, Said. The ophidian is reported to have the estate; August 16, \$2,800, making a slid down a flight of stairs and scared total of \$7,160. Gibson left his bankbook the tenant in question until he howled on August 19, to be balanced, and on for help.

POINT AGAINST GRACE DENIAL FROM HAYWOOD!

Belonging to Accused Man.

When Told Her Husband Has Two Other Wives.

Walden, N. Y., Sept. 13.-A bundle of stained clothing bearing laundry narks said to be those of Anthony, other-"Will," Grace, who is under arrest the murder of his brother, "Jack" Grace, was found to-day in an ashcan in front of a hardware store a block from cial Club, where the body of the wrestler was found last Wednes The bundle contained a black and white neglige shirt, undershirt, collar and bandkerchief. Policeman Cocks found the where it was identified by an employe of a ocal laundry as clothing that had been eft, there at one time or another by Grace. The police believe they will have to go

Grace is in the Newburg fail, but will brought here on Monday to appear before the District Attorney, Albert S. Embler. He spent to-day pacing his cell and smoking cigarettes. There was scarcely a moment when not eating his

York in an automobile last night, took real charge against her husband was that necessary to call in a physician to attend

ed again his previous drowning, about the drowning, about the record of his marriage to another woman when the limit with one of Grace's wives and the record of his marriage to another woman who is living with Grace's children at Lowell, Mass. Information came to-day Lowell wife was the mother of three of his children.

at all. Even after the bundle of bloody

JOHN D. IN NO FEAR

Sheriff Says Black Hand Stories Are Exaggerated.

ment that John D. Rockefeller and the cialist's orthodoxy. Being orthodox means away from the Pocantico Hills estate be- quit, the Hon. Berger and Mr. John cause of any Black Hend threats or from Spargo. because of any trouble among the labor- who pose as deadly enemies of capitalism

was at for occupancy this fall.

sisted of four Burns men and three of his mentary action was to be expelled from own who were acting as watchmen,

MRS. JENKINS BOBS UP Sues Leather Trust Man After Smuggling Incident.

Mrs. Helen Euld Dwelle, who was menioned as Mrs. Helen Dwelle Jenkins in onnection with the smuggling of jewelry scause of which Nathan Allen, a wealthy eather merchant of Kenosha, Wis., was compelled to pay \$100,000 to the United States government, filed a new complaint in her suit against Allen yesterday in Orange County, has got a new witness to which Mrs. Dwelle named the Mooney combat the assertion of Burton W. Gib- & Boland Detective Agency as co-de-

> pany, valued at \$81,000; two promissory Mrs. Dwelle said that these things had

Jail with Husband.

Goshen, N. Y., Sept. 13.-Mrs. Burton The Austro-Hungarian authorities also gether in the jail. The supper was pur-discovered the bank in which Gibson, as chased from Mrs. Kathryn Sharts, who The greeting between Mrs. Gibson and her husband was cordial. Both were permoney in the name of Mrs. Szabo's estate to Rutherford on the train leaving here SNAKE DROPS IN TO CALL

Department for Heip. A pet snake in an uptown flathous

so worried one of the tenants that the dispossess the reptile. A department in-

Angust 21 got the book with the checks.

The Austro-Hungarian authorities are baffled in their efforts to get information concerning the disposition of the money from the estate.

SUNDAY'S NEW-YORK TRIBUNE

Mailed anywhere in the United States for \$250 a year.

The person who complained said the snake had been brought back from the country by two enthusiastic youngsters. From the descriptions it is nothing short of an anaconda, but the chances are it is in reality a garter snake. At this time of the year numerous complaints are made to the department about crows, frogs, snakes, lizards and other creatures brought back to the city by children. Many are offered to the Central Park menagerie.

Bloodstained Clothing Found Had No Part in Writing "T. R."

Platform, He Declares.

PRISONER REMAINS SILENT "JOKE ON THE COLONEL"

His Bride Takes to Her Bed Calls Story Another Attempt to Discredit Him as a Radical.

> William Haywood, who addressed radical Bohemian audience at the American Sokol Hall, 72d street and Avenue A. last night, characterized the statements | Fall Derbies, for straws are relative to his participation in the authorship of the Progressive party's platform as a fine joke on Theodore Roosevelt and George W. Perkins. "This is another more or less clever

attempt," he said to a reporter, "to discredit me as a radical. The trick has been only new but made expression be ridiculous. The last conversation I had and exclusively for us, with Bruere took place several weeks place, long before the Bull Moose party Derby, which blooms perewas born. I asked Bruere to write an article, which could be added to our propaganda literature in the campaign. are waging a campaigh to free Ettor and Giovannnitti. Bruere asked quite casually whether it would be worth while to approach a certain politician (who is not a member of the Bull Moose party) in favor of a minor educational reform in which Bruere is interested. I told him then, as I have told thousands of people, that with the conditions prevailing in our political life it was perfectly useless for reformer to expect anything from the

in every state a political campaign with a view to getting the eight-hour day, I taffeta band and binding, supposing that an eight-hour law had scaped death at the hands of the Senate barrier the Supreme Court raises in favor of such democratic measures-unconstitu didn't ask for the eight-hour day; it simply took it when it wanted it. When all the men in a trade refuse to do more sions. Compelling them to work overtime

"If the typographical unions had waged

how utterly futile it would be to com promise in any way with politicians, o cond the natural interests a striking per in Roosevelt's doings. I doubt if we even or conversation.

Sheriff Doyle said the reason John D. they are invited, as Morris Hillquit was "The stories of the trouble at Pocantico neatly to oust me from their ranks Hills is greatly exaggerated," said the time of the Indianapolis convention. Sheriff, and he further declared that the They had a motion passed according to the party. Somehow it didn't work very well. Wouldn't it have been fine now to catch me red-handed flirting with our great national mountebank and with the authorized representative of big finance



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THE NE'EK-DU-WELL 48TH ST. THEATRE LAN & Thurs 215 LITTLE MISS BAUWN

PLAYHOUSE 48th. E. of B'way, Evs. 8:10. BOUGHT AND PAID FOR

QRAND MR. LOUIS MANN in Evs. 25c-\$L. Now. Settling. PAUL RAINEY'S AFRICAN HUNDER OF MR. LOUIS MANN in Evs. 25c-\$L. AGADEMY OF MUSIC. Mata. To-day. Next Week, THE FINK LADY. Seats Now.



Time to-day to look into supposed to be smashed to A novelty is a "semi-flexi-

ble" Stetson Derby at \$4 no The \$5 "Stetson Special"

nially perfect, and which alone show in New York. Pure beaver Stetson De.

bies, \$8 and \$10. Featherweight flexible Stet. sons at \$3.50.

In soft hats more new idea than ever before. A "cloth finish" felt with

self stitched band. A velvet finished hat with

Tuxedo or black velvet finshed hats for evening wear, Soft velours. Cloth hats.

Stitched hats.

Fall suits and overcoatstores full of 'em.

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THE GIRL FROM MONTMARTRE

ANOTHER TRIUMPH!!

The Quaker Girl." Clifton Crawford — Herald.
"Clever—excellent Mr. Crawford joked sang danced as he alone can melody, real humor, charming music." Times. "Clifton Crawford at his heet." CLIFTON CRAWFORD

My Best Girl NEXT THURS. (Seats Next Monday),
JOHN MASON in "THE ATTACK," by the
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HUDSON West 44th Street Seath Now. MR. TIM MURPHY IN HONEST NEW AMSTERDAM 42d St. OF BYES.

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WALLACK'S B'way & 30th. St. George ARLISS IN DISRAELI BOTH ST. THEA. 30th St. nr. B'y. Evs. 8:16.
Mathere ToTHE MASTER OF HOUSE
day, 2:15.
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Thes., Thurs., Sat. and Sun. Nights at 8:20.
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Admission, 25c.; Grand Stand. 70c.

Maxine Elliott's Th., 39th, bet B'y & 6th Av. Bygs, 8:30. Maxined READY MONEY To-day, 2:30.

BROADWAY Then, cor. 41st St. Evgs, 8:20. Lev Fields HANKY PANKY Mat. To-day, 2:20.

Maxine Elliott's Th., 39th, bet B'y & 6th Av. Motordrome to Park Row after each process. Record Theological Theological Theological Theological Theology and Motordrome to Park Row after each process. Record Theology and Motordrome to Park Row after each process. Record Theology and Theology and

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